

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. 911-037/PI-140
on its own motion, seeking to)
investigate changes in terms of)
Qwest/Positron hardware and) ORDER OPENING DOCKET AND
software maintenance program.) SETTING HEARING
)
)
) Entered: September 16, 2008

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

The Nebraska Public Service Commission (Commission) hereby opens the above-captioned docket, on its own motion, seeking to investigate changes in terms of Qwest/Positron hardware and software maintenance program.

On or about April 23, 2008, Qwest/Positron sent correspondence to the Commission indicating that the terms of maintenance agreements were changing with respect to the length of the coverage of the maintenance programs. Funding for multiple counties affected by the change had already been approved. Based upon the April 23, 2008 letter, it appears that these changes will affect public safety answering points (PSAPs) for the following counties: Box Butte, Chase, Cheyenne, Cuming, Dawes, Dawson, Howard, Keith, Perkins, Sarpy and Buffalo.

The Commission has concerns regarding the basis for these changes. Therefore, it finds that the present docket must be opened to explore the reasons for the change in terms and its affect on overall costs; to investigate the effect on the PSAPs; and to determine what course of action, if any, the Commission will take with respect to the funding requests which were previously approved.

Hearing on this matter is scheduled to take place on **October 9, 2008 at 10:00 a.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned docket be, and it is hereby, opened to investigate changes in terms of Qwest/Positron hardware and software maintenance program.

IT IS FURTHER ORDERED that a hearing on this matter is scheduled to take place on **October 9, 2008 at 10:00 a.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

MADE AND ENTERED at Lincoln, Nebraska, this 16th day of September, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director